



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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Public Notice – Environmental Regulation Industrial Storm Water General Permit Reissuance

Notice of intended action: The State Water Control Board intends to consider drafting a proposal for the amendment of a regulation on water quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency. This general permit regulation will allow the release of storm water into waters of the Commonwealth for those who register for coverage under this permit.

General Permit Regulation name: General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Storm Water Associated With Industrial Activity, 9 VAC 25-151 (VAR05). Effective 7-1-2004, expires 6-30-2009.

Purpose of notice: The board is seeking comments through the Department of Environmental Quality on the intended regulatory action, including but not limited to (1) ideas to assist the board in the development of a proposal, (2) the costs and benefits of the alternatives stated in this notice or other alternatives, (3) effects of the regulation on farm forest land preservation, and (4) persons interested in participating on an advisory committee. The board is also seeking information on impacts on small businesses.

Public comment period: December 10, 2007 to January 9, 2008

Public meeting: No public meeting.

Public comment stage: Notice of Intended Regulatory Action

Subject matter and intent of proposal: The purpose of the proposed action is to reissue the existing industrial activity storm water general permit, which expires on June 30, 2009. This general permit regulation governs the discharge to surface waters of storm water from facilities with regulated industrial activities. This proposed regulatory action is needed in order to establish standard language for control of industrial activity storm water discharges through the development of Storm Water Pollution Prevention Plans, and to set minimum monitoring and reporting requirements. Discharges from these activities are point sources under the Clean Water Act, and are subject to regulation under the VPDES permit program. A site specific Storm Water Pollution Prevention Plan will be required to be developed and implemented by the permittee for each individual facility covered by the general permit. This is a reissuance of an existing general permit and there are no proposed changes at this time. Amendments may be identified following the submittal of public comments on this Notice.

Advisory committee: The board is using an advisory committee to develop a proposal. Persons interested in assisting in the development of a proposal should notify the DEQ contact person by the end of the comment period and provide their name, address, phone number, email address and affiliated organization (if any). The primary function of the advisory committee is to develop recommended regulation amendments for DEQ consideration through the collaborative approach of regulatory negotiation and consensus. Multi-applications from a single company, organization, group or other entity

count as one for purposes of making a decision through the collaborative approach. Notification of the composition of the advisory committee will be sent to all applicants.

How to comment: DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period. DEQ prefers the submittal of written comments, including a copy of supporting documents or exhibits. All testimony, exhibits and documents received are part of the public record.

How a decision is made: After comments have been considered, the board will decide whether to take action on a proposal. If the board decides to consider the regulation, there will be another public comment opportunity, including a public hearing. After these comments have been considered, the board will make the final decision.

To review regulation documents: The agency background document (including purpose, statutory authority, need, substance of planned regulatory changes, alternatives and the family impact statement) is available on the Town Hall web site at www.townhall.virginia.gov and by contacting the DEQ representative named below. There are no regulation amendments available for public comment at this time. The public may review the documents at the address below or <http://www.deq.virginia.gov/vpdes/>.

Contact for public comments, document requests and additional information: Burt Tuxford; Office of Water Permit Programs, 629 E. Main St., Richmond, Virginia, 23219
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